

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Litchfield Financial Corp., et al.)
)
Plaintiffs,)
)
v.)
)
Buyers Source Real Estate Group,)
et al.,)
)
Defendants.)
)
_____)

**MOTION FOR RULE 41(a)(2) DISMISSAL OF DEFENDANTS
JOHN C. LUMPKIN AND JOHN C. LUMPKIN, P.C.**

Pursuant to Federal Rule of Civil Procedure 41(a)(2), Plaintiffs Litchfield Financial Corporation, Textron Financial Corporation, and Land Finance Company (“Plaintiffs”) and Defendants John C. Lumpkin, Esq., and John C. Lumpkin, P.C. (“Lumpkin Defendants”) jointly seen an Order from this Court dismissing this action against the Lumpkin Defendants.

Plaintiffs and the Lumpkin Defendants have entered into a settlement agreement that resolves Plaintiff's claims against the Lumpkin Defendants. In the agreement, Plaintiffs have agreed to request dismissal of their claims against the Lumpkin Defendants set forth in Plaintiffs' Complaint and the Lumpkin Defendants have agreed to waive any claims or defenses they might have against Plaintiffs relating to the facts set forth in Plaintiffs' Complaint. Each party to the joint motion has agreed to bear its or his own costs.

Accordingly, the parties jointly request that this Court enter an Order dismissing the Lumpkin Defendants from this action.

Dated: October 27, 2006

Respectfully submitted

Counsel for Plaintiffs

Litchfield Financial Company
Textron Financial Corporation
And Land Finance Company

/s/ Jeffrey L. McCormick

Jeffrey L. McCormick
ROBINSON DONOVAN
Suite 1600
1500 Main Street
Springfield, MA 01115
phone: 413/732-2301
jmccormick@robinson-donovan.com
BBO No.: 329740

Counsel for Lumpkin Defendants

John C. Lumpkin, Esq.
John C. Lumpkin, P.C.

/s/ George R. Moore

George R. Moore
DEVINE MILLIMET & BRANCH
300 Brickstone Square, 9th Floor
P.O. Box 39
Andover, MA 01810
phone: 978/475-9100
BBO No.: 656102

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on October 27, 2006.

/s/ Jeffrey L. McCormick